

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion is respectfully requested.

Claims 1-8 are presently active in this case, Claim, Claims 9-19 having been withdrawn from consideration.

In the outstanding Office Action, Claims 1-2 [sic: Claims 1-8] were rejected under 35 U.S.C. 103(a) as being unpatentable over Hikita, et al. (USP 4,792,939 hereinafter, “Hikita”) in view of Tomura, et al. (USP 5,150,282 hereinafter, “Tomura”) and further in view of Weber (USP 5,335,147).

Hikita discloses a duplex radio communication transceiver including a duplexer 102 connected to an antenna 101, a receiving low-noise amplifier 108 and a power amplifier 119, and a base band circuit 112, formed on the alumina substrates on the metallic substrate 201,<sup>1</sup> which are electromagnetically shielded.<sup>2</sup> However, in Hikita, there is no disclosure or suggestion of the claimed shield partition of a conductor provided in contact with the shield case and the claimed cut provided from the top panel in the shield case so as to overlay the processor unit between the first and second partitions.

Tomura discloses an electromagnetic shielding structure for a portable phone including a plurality of ribs 28 for separating the high-frequency functional circuits mounted on the printed-circuit board 21,<sup>3</sup> and the shielding member 30 press-fitted in the long groove of the rib 28 of the rear case 24, thereby, enabling the electromagnetic shielding of one high-frequency functional circuit from other high-frequency functional circuits.<sup>4</sup> However, Tomura provides no disclosure or suggestion of the claimed shield partition of a conductor

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<sup>1</sup> Hikita, column 3, line 47- column 4, line 4, column 4, line 53-66, FIGs. 1 and 2.

<sup>2</sup> Id., column 8, line 67- column 9, line 2.

<sup>3</sup> Tomura, column 3, line 20-24, and FIG. 3.

<sup>4</sup> Id., column 4, line 3-10, and FIGs. 3 to 5.

provided in contact with the shield case and the claimed cut provided from the top panel in the shield case so as to overlay the processor unit between the first and second partitions.

Weber discloses the internal shield 46, which contacts top cover 34, having vertical shield 86 electrically connected to conductive perimeter 32 that surrounds a predetermined portion of the electronics circuitry on the printed circuit board 22 to isolate a circuit from within the top cover 34.<sup>5</sup> Weber also discloses that the internal shield 46 has spaces to establish trace signal opening such as edge 100 that differs in height from edge 102 by a distance sufficient to permit the communication of desired signal traces. However, Weber likewise provides no disclosure or suggestion of the claimed first partition to separate the receiving and transmitting amplifiers by extending from an end of the shield case, the claimed second partition extending from another end of the shield case so as to face the first partition across the processing unit, and the claimed cut provided from the top panel in the shield case so as to overlay the processor unit between the first and second partitions. As far as Applicants can discern, there is no such teaching provided at column 6, line 57 – column 7, line 23 of Weber, relied upon at page 4, lines 9-15 in the outstanding Office Action.

Therefore, Hikita, Tomura and Weber substantially differ from claimed structure and in combination cannot achieve the effectiveness of the claimed invention, which make possible to suppress the direct interference from spurious signals emitted from the transmitting amplifier to the receiving amplifier and electromagnetic disturbance waves leaking from the transmitting unit to the receiving unit, and to reduce electromagnetic disturbance waves leaking from the transmitting unit to the receiving unit since the gap between the processor unit and each of the first partition, the second partition, and the cut of the shield partition is suppressed to a level corresponding to the assembly margin.

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<sup>5</sup> Weber, column 6, line 37-48.

Applicants further take issue with the combining of the references in the formulation of the outstanding ground for rejection. In that regard, the U.S. Supreme Court in its recent KSR decision<sup>6</sup> stated “[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” Here, the articulated reasoning stated in the last paragraph at page 4 of the outstanding Office Action is not tied to any particular prior art teachings, but seems to be derived from Applicants’ disclosure, a further indication of improper hindsight motivation to combine under 35 USC 103(a).

Thus, it is respectfully submitted that the proposed combination of Hikita, Tomura and Weber, unaided by the teachings of Applicants’ disclosure, does not obviate the claimed invention since each of the applied references is silent about the claimed cut provided from the top panel in the shield case so as to overlay the processor unit between the first and second partitions. Accordingly, the outstanding rejection of Claim 1 under 35 U.S.C. §103(a) in view of Hikita, Tomura and Weber is respectfully traversed and withdrawal thereof is also respectfully requested.

Further, in the light of above discussion, the rejection of Claims 2-8 dependent on base Claim 1 is also traversed and withdrawal thereof is respectfully requested.

Accordingly, in view of the above comments, it is respectfully submitted that the outstanding grounds for rejection have been traversed. No further issues are believed to be

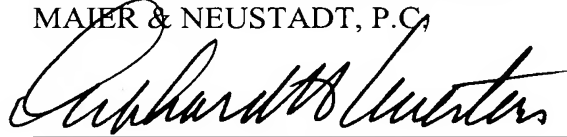
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<sup>6</sup> KSR Int’l Co. v. Teleflex, Inc., 127 S.Ct. 1727 (2007)

outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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